AMENDMENT

Offered by \mathbf{M} .	
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In the section 2203(a) of the Social Security Act proposed by section 132, add at the end the following:

1	"(5) State high risk pool approval proc-
2	ESS.—Notwithstanding paragraph (2), in the case
3	that an application submitted to the Administrator
4	by a State pursuant to paragraph (1) for an alloca-
5	tion of funds under this title for a year during the
6	period described in section 2201 is for the purpose
7	described in paragraph (1) of section 2202 (relating
8	to high risk pools), such application may not be ap-
9	proved until—
10	"(A) the State submits to the Secretary of
11	Health and Human Services a plan for the de-
12	sign and implementation of the high risk pool
13	in the State for which such allocation of funds
14	will be used; and
15	"(B) the Secretary (in conjunction with
16	the Office of the Actuary of the Centers of
17	Medicare & Medicaid Services) certifies, based
18	on such plan, that—
19	"(i) such high risk pool—

1	"(I) provides coverage that meets
2	such minimum benefit requirements
3	as the Secretary may specify;
4	"(II) is financially sustainable;
5	and
6	"(III) will, as of the initial date
7	of its implementation, be able to pro-
8	vide health care coverage to all eligible
9	individuals;
10	"(ii) such State has developed and im-
11	plemented (or will implement) a plan that,
12	through the use of the funds of such State,
13	will continue to provide to such individuals,
14	after funds allocated to the State under
15	this title have been expended, the same
16	level of coverage that such individuals re-
17	ceived pursuant to the high risk pool for
18	which such allocation of funds was used;
19	and
20	"(C) the State certifies that, in the case
21	that the State no longer has funding necessary
22	to operate such high risk pool, any individuals
23	in the State who received coverage provided
24	through such risk pool will have the option to
25	purchase health insurance coverage on the indi-

vidual market in the State at a community
rated premium and under terms identical to the
terms under which individuals in the State not
participating in such risk pool purchased such
coverage.".

